

Application No. 10/733,446
Reply to the Office Action dated November 18, 2004

REMARKS/ARGUMENTS

Claims 1-16 and new Claims 17 and 18 are active in the case. Reconsideration is respectfully requested.

The present invention relates to a multilayered, stretched resin film that has an opacity of at least 70 % and which is capable of being sealed by heat and/or fusion.

Specification Amendments

The specification has been amended on pages 6, 12 and 16 to correct minor spelling errors. None of the amendments introduce new matter into the case, and entry of the amendments is respectfully requested.

Objection to Specification

The objection to the abstract is believed overcome by the cancellation of the original abstract and the substitution of the abstract on the sheet of text attached to this response. Entry of the abstract and withdrawal of the objection are respectfully requested.

Claim Rejection, 35 USC 112, second paragraph

Applicants do not concur that Claim 16 is indefinite for the reason stated. That is, Claim 16 accurately states that the surface layer (i) of the multilayered, stretched resin film has a thickness that ranges from 50 to 80 % of the total thickness of the multilayered, stretched resin film. This is exactly what is disclosed on page 12, lines 9-13 of the text. Clearly, the wording of the claim is satisfactory and withdrawal of the rejection is respectfully requested.

Claim Amendments

Claims 1, 3-5 and 8-16 have been amended in order to make minor editorial corrections thereto. In addition, Claim 1 has been amended at the end of the claim to define the opacity of the multilayered, stretched resin film as having an opacity of at least 70 %. None of the amendments that have been made introduce new matter into the case. Entry of the amendments of the claims into the record is respectfully requested.

New Claims 17 and 18 have been added. Basis for these claims is found in Claim 1. New Claim 17 differs from Claim 1 in that the filler of the substrate layer is limited to a fine inorganic powder and Claim 18 is limited to the antistatic agent defined in the paragraph bridging pages 8 and 9 of the text. Accordingly, the new claims are fully supported by the text and claims and entry of the new claims into the record is respectfully requested.

Prior Art Rejection

Claims 1-16 stand rejected based on 35 USC 103(a) as obvious over Tanaka, U. S. Patent 6,686,055 in view of Touhsaent U. S. Patent 6,013,353 and EP 0613919. This ground of rejection is respectfully traversed.

The Tanaka patent discloses a layered composite film that is formed of a crystalline polypropylene layer and (B) a specific propylene/1-butene random copolymer layer. Although the reference discloses a composite formed from a crystalline layer, there is no teaching or suggestion of the incorporation of an inorganic filler or an organic filler into the crystalline polypropylene layer in order to prepare a base layer that is opaque to the extent of 70 % or more. In fact, the Tanaka patent discloses a layered composite film that is apparently transparent, so that the patent does not suggest the layered composite film of the present invention.

The Touhsaent patent discloses a multilayered packaging film that possesses a core layer of an isotactic propylene layer and a skin layer of an isotactic copolymer of propylene and a minor amount of ethylene or a higher 1-olefin. However, as to the core layer, there is no teaching or suggestion of incorporating a fine inorganic powder such as of calcium carbonate in the core layer (see lines 46 to 60 of column 2). Moreover, there is no disclosure of a surface layer that contains an antistatic agent.

The deficiencies of the Tanaka and Touhsaent patents are significant, because the finding of the present invention are that in order to prevent a reduction of sealing strength of a film and to improve the printability of a product film, the specific layered structure of the product film of the present invention must be met in all of its claimed features.

As to the Ueda reference, applicants question whether the reference, in fact, is being relied upon, because it is only very briefly mentioned and is not listed on Form 892. However, applicants state that the document describes an antistatic agent that possesses an excellent antistatic property and good heat resistance, compatibility with thermoplastic resins, mechanical strength and moldability characteristics. There are, however, no limits on the use of the material. This is contrary to the present invention where there is a specific relationship between a selected antistatic agent and a polymer material that results in a layered structure that prevents a reduction in seal strength and improves the printability of a layered polymer structure.

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It is believed that the application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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